



February 9, 2007

HOUSE BILL No. 1220

DIGEST OF HB 1220 (Updated February 7, 2007 12:53 pm - DI 107)

Citations Affected: IC 12-10; IC 33-39.

Synopsis: Adult protective services. Requires the division of aging (division) to provide coverage for (instead of contracting for) specified adult protective services. Permits the division to contract with a prosecuting attorney to perform specified adult protective services in any county.

Effective: July 1, 2007.

Hoy, Dickinson

January 11, 2007, read first time and referred to Committee on Family, Children and Human Affairs.
February 8, 2007, amended, reported — Do Pass.

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HB 1220—LS 7024/DI 104+



February 9, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1220

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-10-3-7 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) The division shall
3 **contract provide coverage** for the services required in each county
4 under this chapter **and may contract** with:

5 (1) ~~the~~ **a** prosecuting attorney;

6 (2) ~~the~~ **a** prosecuting attorney to perform part of the services and
7 a governmental entity qualified to perform the remainder of the
8 services required; or

9 (3) if ~~the~~ **a** prosecuting attorney decides not to enter into a
10 contract, a governmental entity qualified to provide the services
11 required.

12 (b) The contracts entered into by the division under this section
13 must specify that the notification provisions described in sections 21(4)
14 and 28(b)(5) of this chapter must be followed.

15 **(c) A prosecuting attorney who is contracted to provide services**
16 **under this section may perform services under this chapter in any**
17 **county.**

HB 1220—LS 7024/DI 104+



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1 SECTION 2. IC 33-39-1-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. Except as provided
3 in **IC 12-10-3-7(c) and** IC 12-15-23-6(d), the prosecuting attorneys,
4 within their respective jurisdictions, shall:
5 (1) conduct all prosecutions for felonies, misdemeanors, or
6 infractions and all suits on forfeited recognizances;
7 (2) superintend, on behalf of counties or any of the trust funds, all
8 suits in which the the counties or trust funds may be interested or
9 involved; and
10 (3) perform all other duties required by law.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1220, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, reset in roman "each county".

Page 1, line 3, delete "all".

Page 1, line 4, delete "counties".

Page 1, line 4, after "chapter" insert **"and may contract"**.

Page 1, line 5, strike "the" and insert **"a"**.

Page 1, line 6, before "prosecuting" strike "the" and insert **"a"**.

Page 1, line 9, strike "the" and insert **"a"**.

Page 1, line 11, reset in roman "The contracts entered into by the division".

Page 1, line 11, delete "Agreements to".

Page 1, line 12, delete "provide coverage for services required".

Page 1, after line 14, begin a new paragraph and insert:

"(c) A prosecuting attorney who is contracted to provide services under this section may perform services under this chapter in any county.

SECTION 2. IC 33-39-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. Except as provided in **IC 12-10-3-7(c)** and IC 12-15-23-6(d), the prosecuting attorneys, within their respective jurisdictions, shall:

- (1) conduct all prosecutions for felonies, misdemeanors, or infractions and all suits on forfeited recognizances;
- (2) superintend, on behalf of counties or any of the trust funds, all suits in which the the counties or trust funds may be interested or involved; and
- (3) perform all other duties required by law."

and when so amended that said bill do pass.

(Reference is to HB 1220 as introduced.)

SUMMERS, Chair

Committee Vote: yeas 10, nays 0.

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